REMARKS

Claims 1 - 10 are pending in the present application. By this Amendment, claims 1-9 have each been amended, claim 10 has been cancelled and new claim 11 has been added. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated December 14, 2004

Priority:

In item 1 of the Action, the Examiner denies Applicant's claim for priority due to the Examiner's assertion that the present application and the priority application 2001-017427 have different inventors.

That is, the name of the inventor of the present application is Jingyu Qiao, while the name of the inventor for the priority application 2001-017427 is Seigyoku Kyo.

It is submitted that while the formal Romanized spelling of the inventor's name in Chinese characters is "Jingyu Qiao," the Chinese characters of the inventor's name can be read as "Seigyoku Kyo" in the Japanese language. In other words, although the Chinese characters are read and pronounced differently in Chinese and Japanese, the name is still the same.

As such, it is respectfully submitted that the Examiner properly acknowledge the Applicant's claim for priority based on the priority application 2001-017427.

As to the Merits:

As to the merits of this case, the Examiner set forth the following rejection:

claims 1-10 stand rejected under 35 USC 103(a) as being unpatentable over Endo et al.

(U.S. Patent No. 6,493,100) in view of Hasegawa (JP 07-271538).

This rejection is respectfully requested.

Independent claim 1, as amended, now calls for *a packet monitor that monitors a packet*

on the network, and updates and stores client-associated last received time by client, the client-

associated last receiving time being the last time when the printer receives the packet for using

the printer from the client; a printer usage rate computer that determines client condition based

on the client-associated last received time, the client condition being idle condition when the

packet is not received for a predetermined time, and computes a printer usage rate when the

client condition is not the idle condition; and a time setting unit that sets the length of time to

switch to the power save mode based on the printer usage rate. Independent claims 4 and 7 are

drawn to similar embodiments.

For example, as discussed in the bridging paragraph between pages 8-9 of the

specification, the client list DB in the printer PR1 is updated as shown in Figure 11 by the

function of the client DB generation/receive time updating routine, thus storing the last receive times associated with the respective clients using the printer PR1.

The applied reference of <u>Endo</u> fails to disclose or fairly suggests the feature of claim 1, as amended, concerning updating and storing client-associated last received time by client, the client-associated last receiving time being the last time when the printer receives the packet for using the printer from the client.

Moreover, <u>Endo</u> is completely silent with regard to a printer usage rate computer that determines client condition based on the client-associated last received time, the client condition being idle condition when the packet is not received for a predetermined time, and computes a printer usage rate when the client condition is not the idle condition, as now called for in claim 1.

For example, as discussed on page 9 of the present specification, the unit of the printer usage rate is pages/hour. Further, as discussed in the bridging paragraph between pages 9-10 of the specification, if it is determined in step 206 that the length of time from the last receive time to the current time does not exceed the predetermined threshold value yet, the process proceeds to step 210 where the past average usage rate (expressed in pages/hour) of the corresponding client is added to the printer usage rate. For this computation, the average usage rate of each client of the printer is separately computed and stored in advance. Figure 14 shows, by way of

example, the average usage rates of the respective clients using the respective printers PR1 and

PR2.

In contrast, <u>Endo</u> fails to compute any type of printer usage rate. As such, <u>Endo</u> fails to

disclose the features of claim 1, as amended, concerning *a packet monitor that monitors a packet*

on the network, and updates and stores client-associated last received time by client, the client-

associated last receiving time being the last time when the printer receives the packet for using

the printer from the client; a printer usage rate computer that determines client condition based

on the client-associated last received time, the client condition being idle condition when the

packet is not received for a predetermined time, and computes a printer usage rate when the

client condition is not the idle condition; and a time setting unit that sets the length of time to

switch to the power save mode based on the printer usage rate.

Moreover, it is respectfully submitted that the secondary reference of <u>Hasegawa</u> fails to

teach the above-note drawbacks and deficiencies of the primary reference of <u>Endo</u>.

In view of the aforementioned amendments and accompanying remarks, Applicant

submits that that the claims, as herein amended, are in condition for allowance. Applicant

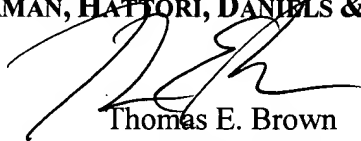requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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